

Special Meeting
March 27, 1995

The Special Meeting of the Annapolis City Council was held on March 27, 1995 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:00 p.m. Mayor Hopkins offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer

Staff Present: City Attorney Goetzke, Planning and Zoning Director Fogarty

PUBLIC HEARINGS

1. **CA-1-95** For the purpose of amending the Charter of the City of Annapolis by adding Article X to the Charter, for the purpose of creating a body politic and corporate and an instrumentality of the City of Annapolis to be known as "The Annapolis Revenue Authority" for the purpose of constructing, reconstructing, renovating, remodeling, improving, equipping, furnishing, maintaining, acquiring, operating, and financing projects on behalf of the City of Annapolis.

David Funk, Esq., Shapiro and Orlander, 36 South Charles Street, Baltimore, MD, was present and answered questions addressed by the Aldermen.

Spoke in favor of CA -1-95

1. Louis Hyatt, 1 Constitution Square, Annapolis, MD 21401

Spoke in opposition to CA -1-95

1. Tony Evans, 3 Constitution Square, Annapolis, MD 21401
2. John Baer, 10 Taney Avenue, Annapolis, MD 21401
3. Tom Davies, 16 College Avenue, Annapolis, MD 21401
4. Dan Masterson, 11 King Court, Annapolis, MD 21401
5. Jeff Thomas, Halsey Road, Annapolis, MD 21401
6. Cindy Eckard, 106 Linden Avenue, Annapolis, MD 21401
7. John Vandekamp, 86 Duke of Gloucester Street, Annapolis, MD 21401
8. Arthur Greenbaum, 43 Water Street, Annapolis, MD 21401
9. Robert Slawson, 510 Sixth Street, Annapolis, MD 21403
10. John Hammond, 141 Monticello Avenue, Annapolis, MD 21401
11. Grant Walker, 711 Melrose Street, Annapolis, MD 21401

No one else from the general public spoke in favor of or in opposition to CA-1-95.

Mayor Hopkins declared the public hearing closed.

2. Application of Obsico, LLC and Blackistone Corner Joint Venture for a conditional use to establish a carry-out food service (trading as Steak Out) for property located at 1100 Forest Drive (Fairfax Crossing Shopping Center), Annapolis.

Planning and Zoning Director Fogarty presented a background report on the application.

Planning Commission Chair Hillman made a presentation on the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Annapolis Planning Commission date 3/16/95, and a Memorandum with attachments from Eileen P. Fogarty to the Annapolis Planning Commission dated 2/24/95.

Alan Hyatt, Hyatt and Peters, 1919 West Street, Annapolis, MD 21401 and James Duignan, Obsico, LLC were present and answered questions addressed by the Aldermen.

No one from the general public spoke in favor of or in opposition to the application.

Mayor Hopkins accepted into the record the following documents:

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| Exhibit 1: | Letter to Mayor and Alderman from Hyatt & Peters dated 3/7/95 |
| Exhibit 2: | Site Plan |
| Exhibit 3: | Engineering Plan |
| Exhibit 4: | Vicinity Map |
| Exhibit 5: | Steak-Out Site, Fairfax Crossing, Annapolis, MD |
| Exhibit 6: | Land Use Map |
| Exhibit 7: | Property Description |
| Exhibit 8: | Property Owners Within 200' |
| Exhibit 9: | Supplement to Conditional Use Application |
| Exhibit 10: | Conceptual Landscaping |
| Exhibit 11: | Steak-Out Menu |

Mayor Hopkins declared the public hearing closed.

Mayor Hopkins announced there would be a seven day comment period and a seven day reply period for this application with action to be taken at the April 10, 1995 meeting.

3. **O-7-95** For the purpose of amending the regulation governing the building bulk limitations for the PT Office and Residential Transition District; and all matters relating to said district.

Planning and Zoning Director Fogarty presented a background report on the ordinance.

Planning Commission Chair Hillman made a presentation on the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 3/2/95, and a Memorandum from Eileen P. Fogarty to the Planning Commission dated 2/16/95.

Spoke in favor of the ordinance

1. David Plott, Esq., Linowes & Blocker, 145 Main Street, Annapolis, MD 21401

No one else from the general public spoke in favor of or in opposition to the ordinance.

The Mayor declared the public hearing closed.

LEGISLATIVE ACTION

1. **O-15-95** For the purpose of conveying, by quitclaim deed, whatever rights, title and interest the City has in a certain storm drain easement running along the eastern boundary of the Annapolis Housing Authority property and a portion of the drainage rights that the City holds at the western edge of the Annapolis Overlook property in the City of Annapolis; and all matters relating to said quitclaim deed.

Alderman Snowden moved to adopt O-15-95 on second reading. Seconded. CARRIED on voice vote.

Alderman DeGraff moved to adopt O-15-95 on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden,

DeGraff, Moyer
CARRIED: 8-0

2. **O-19-95** For the purpose of authorizing and empowering the City of Annapolis to issue and sell, upon its full faith and credit, Five Million Six Hundred Fifty-Three Thousand Dollars (\$5,653,000) aggregate principal amount of its serial maturity general obligation, fully registered bonds, pursuant to the authority of Sections 31 through 37, inclusive, of Article 23A of the Annotated Code of Maryland (1994 Replacement Volume), as amended, and Article VII, Section 11, of the Charter of the City of Annapolis, as amended, to be designated as "Public Improvements Bonds, 1995 Series", said bonds to be issued and sold for the public purpose of financing certain capital projects, as provided in this Ordinance; prescribing the form and tenor of such bonds and determining other matters relating to the issuance and sale thereof, including the forms of a notice of sale to be published and proposal to be used in connection with the public sale of said bonds; providing for the disbursement of the proceeds of said bonds; authorizing the preparation and distribution of a preliminary official statement in connection with the sale of said bonds; providing that the proceeds of said bonds, or any moneys which may be deemed to be proceeds, will not be used in a manner which would cause said bonds to be arbitrage bonds; appointing a paying agent and registrar for said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally relating to the issuance, sale and delivery of all said bonds.

Alderman Snowden moved to adopt O-19-95 on first reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, Moyer
CARRIED: 8 - 0

Alderman Snowden moved to suspend the rules to dispense with the second reading on O-19-95. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer
CARRIED: 9-0

Alderman Moyer moved to adopt O-19-95 on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer
NAYS: Alderman Johnson
CARRIED: 8-1

Alderman Snowden left at 10:05 p.m.

BUSINESS AND MISCELLANEOUS

1. **R-16-95** For the purpose of establishing the rates and fees for parking in certain parking facilities owned by the City; and all matters relating to said rates.

Alderman DeGraff moved to reconsider O-16-95. Seconded. CARRIED on voice vote.

Alderman DeGraff moved to amend O-16-95 as follows:

Amendment No. 1

On Page 1, line 20, immediately following "effective" strike "July 1, 1995" and substitute "immediately"; and on Page 2, line 25, following "effect" strike "on July 1, 1995" and substitute "immediately".

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

2. Yarger Study

Alderman Johnson moved reconsider the Finance Committee Minutes of March 2, 1995. Seconded. CARRIED on voice vote.

Alderman DeGraff moved to amend the Finance Committee Minutes of March 2, 1995 by striking the following:

Reclassification of Executive Secretaries

~~The committee recommended approval of the Mayor's letter dated March 2, 1995.~~

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Johnson, Gilmer, Tullier, Turner, DeGraff
NAYS: Aldermen Hammond, Turner
CARRIED: 6-2

Alderman DeGraff moved to adopt the finance committee minutes of March as amended. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Johnson, Gilmer, Tullier, Turner, DeGraff
NAYS: Aldermen Hammond, Turner
CARRIED: 6-2

Upon motion duly made, seconded and adopted, the meeting adjourned at 10:35 p.m.

**Deborah Heinbuch, CMC
Deputy City Clerk**